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Valparaiso University Law School

8-1987

## The Amicus: Vol. 1, No. 1

Valparaiso University School of Law

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# THE AMICUS

VALPARAISO UNIVERSITY SCHOOL OF LAW ALUMNI MAGAZINE

Vol. 1, No. 1

August, 1987

## We the People



*"We must never forget that it is a  
constitution that we are expounding."*

*—John Marshall, 1819*

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# THE AMICUS

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## From the Editors . . .

We are pleased to announce that we have moved to a new and expanded format for our alumni publication. A joint effort by both the Alumni Association and the School of Law has made it possible to print this new alumni news magazine, *The Amicus*, which replaces and expands the *Alumni News*. Containing all of the features found in the *Alumni News* plus several other new features, this magazine will be published three times a year—April, August and December.

We hope you enjoy reading this and upcoming issues. We encourage you, as alumni, to continue to keep us informed about events in your professional and personal lives. We also invite you to submit ideas and writings for editorial consideration.

Looking forward to hearing from you,

Gail Peshel  
Linda Potter '87

### Editors

Gail Peshel, Director, Career  
Services & Alumni Relations  
Linda D. Potter, '87

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Cover: "A More Perfect Union", The Signing of the Constitution • Philadelphia, September 17, 1787, Alton S. Tobey, 1986, oil on canvas. Printed by the Commission on the Bicentennial of the U.S. Constitution and West Publishing Company, and presented to the Valparaiso University School of Law. Reprinted by permission.



# LETTER FROM THE DEAN

Graduation exercises in May were a huge success with 111 law students receiving their J.D. degrees in a separate ceremony held in the Chapel. Before an audience of graduates, families and friends which filled the Chapel, **Alan S. Morrisson**, '62 General Counsel to The Sverdrup Corporation in St. Louis, delivered a thought provoking address. The Class Advisor, Associate Dean and Professor **Bruce G. Berner**, '62, also shared some thoughts which were both humorous and sobering. The texts of both of these oratories appear in this publication.

Among the most noteworthy accomplishments of the 1987 graduates is that all of the 41 graduates who have taken a bar exam and received the results have passed on their first attempt.

I am pleased to present the first issue of *The Amicus*, a new publication that I hope you will find to be stimulating and informative. The first issue is dedicated to the bicentennial of our nation's Constitution. A pictorial replica of the painting "A More Perfect Union" appears on the cover of *The Amicus* and hangs on the wall at the law school. We at the School of Law and all of us collectively celebrate the bicentennial of this document which has guided our government since its adoption in Philadelphia on September 17, 1787.

Another cause for celebration is the myriad changes, events and improvements which have taken place here at the School of Law over the past academic year and this summer.

The new law building has created an improved learning environment which should be instrumental in attracting new students. It also enables us to do many things which we could not do in the old building such as hosting CLE seminars and symposia. We hope that you will be able to participate in as many of these events as possible. A calendar of upcoming law school and alumni events is included in this publication.

In addition to publishing the *Valparaiso University Law Review*, the School of Law, in conjunction with the International Third World Legal Studies Association, is publishing an

annual journal titled *Third World Legal Studies*. Editorial guidance for this journal is provided by professors Paul H. Brietzke, Mary G. Persyn, and Jack A. Hiller. This publication is devoted to interdisciplinary and comparative studies of law in the Third World.

I would like to thank the following persons for hosting receptions in the past year: **Richard Duesenberg**, '53, **Herbert Stride**, '57; **Benjamin Vogler**, '59; **Christopher Nuechterlein**, '76; **Dominic Farina**, '42; **Terry Redamak**, '72; **Mary Redamak**, '72 and **Bill Thorne**, '49. These receptions have provided an opportunity for us at the School of Law to re-acquaint ourselves with alumni and get your views and suggestions on means for the School of Law to improve itself. I would also like to thank the St. Louis law alumni for their efforts in dedicating a room in the new law building.

The Monsanto Lecture for this year will be delivered by Professor Robert Rabin of Stanford Law School who will be a visiting professor at the Harvard Law School this coming year. This annual lecture series, endowed through a generous gift from the Monsanto Fund, explores tort law and possible reform. The first lecture was delivered last year by Yale Law Professor George Priest.

I wish to extend a special thanks to alumni who have supported the School of Law both financially and through their physical efforts—reaching out to other alumni, and prospective students and employers. These efforts are so vital in the mission of the School. Your hard work and generosity does not go unnoticed. Supporting and publicizing the School and its alumni goes far to enhance the reputation and prestige of the School and its graduates.

The School of Law has come a long way since its inception. By offering new courses, we are continuing to expand and improve the curriculum. We are also striving to improve our reputation in the legal community. With your continued support, we will be successful in reaching our goals.

Homecoming is fast approaching, and we have been busy planning and preparing alumni events. We are fortunate to be able to offer two 3-credit

CLE programs concurrently with Homecoming on Saturday, October 3. These six credit hours may be applied to your mandatory CLE requirement. More information is located herein. Eight special class reunions are being planned for classes ending in "2" or "7". Class representatives are contacting classmates with more information. The annual banquet will be held at the Expo Center in Valpo. More information will be forthcoming.

I look forward to seeing you at homecoming.

Ivan E. Bodensteiner  
Dean



The reception in Washington, D.C. was held on June 7. Pictured above are: **Marcia Sowles**, '75; **Nolan Rappaport**, '72; **Don Waskom**, '52; and **Gary Jeffers**, '84.

## ATTENTION: INDIANA STATE BAR ASSOCIATION MEMBERS

The Indiana State Bar Association 1987 Annual Meeting will be held October 21-24 at the Hyatt Regency in Indianapolis. The School of Law Alumni Association will host a reception at the Hyatt on Thursday evening, October 22, 1987. Complimentary refreshments will be served from 5:30 p.m. through 7:00 p.m. All alumni and their guests are invited.



# MESSAGE FROM THE PRESIDENT



Barbara A. Young

Dear Alumni:

The Class of 1987 will be remembered as the first class to graduate from the new law school located in the Heritage quadrangle. The atrium in Wesemann Hall was the site of the post-graduation reception which was attended by an estimated 1500 guests. The spectacular turnout in conjunction with the early arrival of summer weather made this a particularly sizzling event. We certainly congratulate the Class of 1987 and welcome them to the School of Law Alumni Association.

On several occasions I indicated that the Alumni Association has been working on an Alumni Directory update. Unfortunately, completion of this project took substantially longer than originally anticipated. Once it was determined how extensive the revisions would be, the Board decided to reprint a whole new directory. By the time you receive this publication, current subscribers will

have already received copies of the new directory. If, however, you are not already a subscriber, then you should take advantage of the opportunity to purchase a directory by filling out the order form which is a part of this publication. The cost of a new directory is \$25.00. This charge is calculated simply to defray the actual cost in printing. I strongly encourage all alumni to purchase a new directory. You will find it helpful over the years to keep in touch with classmates and acquaintances and also to assist you in locating professional referrals from time-to-time. In any event, this project is now complete and I hope all of you appreciate the efforts of the Alumni Association in providing this service with a special thanks to Gail Peshel, Career Services and Alumni Relations Director, **Jeffrey Herrold**, '86, and **Linda Potter**, '87, for all their efforts in making the alumni directory a reality.

With graduation behind us and summer in full swing, it is time to begin making plans for this fall. Mark your calendar to return to Valparaiso for Homecoming this October. Special class reunions are being scheduled for the following reunion classes:

40 year	1947
35 year	1952
30 year	1957
25 year	1962
20 year	1967
15 year	1972
10 year	1977
5 year	1982

In August you will receive not only an invitation to Homecoming but also a ballot for the election of new Board members for terms beginning October, 1987. The slate of candidates for three-year terms on the Board of Directors are: **William G. Conover** (1951), Indianapolis, Indiana; **Jerome L. Ezell** (1979), Hobart, Indiana; **Cassidy C. Fritz** (1985), Elkhart, Indiana; **Jack Lawson** (1961), Fort Wayne, Indiana; **Nancy H. Vaidik** (1980), Valparaiso, Indiana; and **Ruth J. Weber**, (1962), Appleton, Wisconsin; along with incumbents **Robert D. Bowen** (1977), Bremen, Indiana; **Rudy C. Kutansky** (1965), Gary, Indiana; and **John D. Lee** (1977), Chicago, Illinois. The nominating committee has also recommended the following slate of of-

ficers to be presented at the annual meeting: President- **Mary M. Squyres** (1982), Chicago, Illinois; Vice President- **Donn H. Wray** (1980), Indianapolis, Indiana; Secretary- **John D. Lee** (1977), Chicago, Illinois; Treasurer- **Edwin T. Brown, Jr.** (1951), Merrillville, Indiana.

As Homecoming and the annual meeting approaches, I look forward to seeing as many of you return to Valparaiso as possible. This Homecoming will bring the end of my term as President of the Alumni Association. While I look forward to turning over the gavel to the incoming officers and Board members, I would be remiss if I did not take this opportunity to thank the members of the Board with whom I have had the pleasure to serve as well as my fellow officers, Vice President- **Dave McCain**, Secretary- **Richard Eynon** and Treasurer- **Edwin T. Brown, Jr.** I wish to extend a special thanks to the law school staff who have been so helpful and enthusiastic. A very special thanks to **Gail Peshel** and **Jonathan Potter '85** for their attention to the alumni matters and, of course, a special thank you to Dean Ivan Bodensteiner who has provided admirable leadership for the entire law school since accepting the appointment. And thanks to all of you who have supported the Alumni Association through your generous donations of both time and money.

As one of my last official duties as President of the Association, I would like to urge all alumni to become active members and participants in the Alumni Association. Your financial support through the payment of annual dues makes it possible for us to maintain the alumni newsletters, provide alumni receptions at various state bar association meetings, undertake projects such as the alumni directory, third-year luncheon and provide coffee for the law students during final exam periods. The stronger your support of the school, directly and indirectly through the Alumni Association, the stronger the school becomes and in turn we all benefit from its increased recognition and prestige.

Barbara A. Young  
President



# LAW SCHOOL BRIEFS

## MONSANTO LECTURE SCHEDULED FOR NOVEMBER 12

The Monsanto Advisory Committee is pleased to announce that Robert Rabin has accepted the offer to deliver the Monsanto Lecture for the 1987-88 academic year. Mr. Rabin is the A. Calder Mackay Professor of Law at Stanford Law School, and will be a visiting professor at the Harvard Law School this coming year. He has written books on Torts, Administrative Law, and Environmental Law, and was the reporter for the ABA Action Committee to Improve the Tort System. That Committee has recently published its report.

The lecture is scheduled for November 12. Faculty and student seminars are scheduled for the following day.

This annual lecture series was inaugurated this past year by Professor George Priest of the Yale Law School. The series is supported by a generous grant from the Monsanto Company through the good offices of John Mason, President of the Fund, and alumnus Richard W. Duesenberg, Senior Vice-President, Secretary, and General Counsel of Monsanto Company.

## COLLOQUIUMS PRESENTED BY SCHOOL OF LAW AND PORTER-STARKE SERVICES

In April and May the Law School, in conjunction with Porter-Starke Services presented colloquiums on the topics of "The Rights of Kids, Parents, and the Community" and "Physical and Sexual Abuse of Children." Panelists included judges, public defenders, social workers, physicians and others.

The colloquiums were the product of concern within the community about the problems children and teenagers face today—drugs, alcohol, sexual and physical abuse. The programs were designed to examine medical and legal consequences of these problems and ways of helping the children involved.

## LAW SCHOOL WELL-REPRESENTED AT BAR ADMISSIONS CEREMONY—BAR PASSAGE 100% FOR 1987 GRADUATES

On June 8 in Indianapolis, 41 persons from the 1987 graduating class were sworn in as members of the Indiana State Bar.

Indiana's Rule 13 permits taking the bar exam before law school graduation provided all state course requirements are met. Forty-one students chose that option and took the bar exam either last summer or in February.

The School's passing percentage has consistently been high. The Class of '87 statistics are no exception. These graduates have collectively earned a passing percentage of 100% so far. The state average is 81%.



*Linda Potter and Margaret Murphy were two of the forty-one '87 grads sworn in.*

## IS THE SCHOOL OF LAW IN YOUR WILL?

Making a specific bequest to the School of Law is one means of reducing estate taxes and perpetuating your support for Valparaiso University School of Law after your lifetime. Bequests provide substantial and vital financial support for the School. Through a bequest you can endow funds for lecture series, professorial chairs, scholarships or annual gifts in your name.

Charitable gifts are entirely deductible from your estate for tax purposes. Heirs may benefit from this deduction since it may place the taxable portion of your estate into a lower tax bracket. Bequests can be made in any specified amount or per-

## HOMECOMING CONTINUING LEGAL EDUCATION PROGRAMS

The School of Law annually offers a CLE program as part of the School of Law Homecoming activities. This year we are pleased to announce that there will be two separate CLE programs offered Homecoming weekend on Saturday, October 3. Both programs will be held in Wesemann Hall, each running three hours for three CLE credits.

The first seminar deals with the New Code of Professional Responsibility adopted by the Indiana Supreme Court which became effective January 1, 1987. With minor changes, these are the same rules adopted by the American Bar Association establishing new standards for practicing lawyers. Covering lawyer advertising and solicitation, contingent fee arrangements, and the lawyer's "opinion practice," this 3-credit seminar will be held from 9:00 a.m. to noon.

The second seminar will deal with "Arrest, Search, and Seizure: An Analytical Framework." This 3-credit seminar will be held from 1:30-4:30 p.m.

The cost for attending one seminar is \$40.00, and the cost of attending both is \$70.00. Seminar materials are included in these prices. If you cannot attend the seminars, materials may be purchased \$20.00 per set or \$40.00 for both sets.

centage of the estate.

In order to make a gift by bequest, a provision must be included in your will either at the time the will is drawn or by codicil at a later time. Charitable trusts may also be designated by your will in order to guarantee income to your heirs as well as to the School of Law. Charitable Lead Trusts, Charitable Remainder Unitrusts and Annuity Trusts allow the donor to take charitable deductions presently to reduce income taxes or later to reduce estate taxes.

If you have any questions or would like more information about bequests or other types of planned gifts to the School of Law contact: Development Director - Law, Public and Alumni Affairs, Valparaiso University, Valparaiso, IN 46383. (219) 464-5146.



# LAW SCHOOL BRIEFS

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Professor Geri Yonover has published two articles recently. They are: "Retaliatory Discharge in Illinois: Recent Developments," 61 Chi-Kent L. Rev. 671 (1985); and "Clash of the Titans: Reckless Disregard: *Westmoreland v. CBS et al*; *Sharon v. Time* by Renata Adler," 21 Val. U.L. Rev. 669 (1987).

Professor Richard Stith's critique on the concept of value has again been reprinted, this time in *On Moral Medicine: Theological Perspectives in Medical Ethics*, edited by S.E. Lammers and A. Verhey (Eerdmans, 1987).

Professor Stith is doing further research on the interaction of the concepts of a right and of a value this summer at the University of Navarra, Spain.

Professor Ruth Vance, coach of this year's Client Counseling team, accompanied the team to the University of Toronto to compete in the National Client Counseling Competition. Team Members, first-year students Barbara Bolling and Lisa Wyatt, won the regional competition. The team did not win the National Competition, but is ready to try again next year.

Professor Jack Hiller has spent the 1986-87 academic year as a Fulbright Professor of Law at the School of Law Institut of Teknologi MARA, Selangor, Malaysia.

Professor David Myers has been promoted to full professor of law.

Professor Robert F. Blomquist will publish a book review essay on William Rodgers' recent treatise *Environmental Law—Air and Water* in an upcoming edition of the *Hastings Law Journal*. The name of the book review essay is titled "The Beauty of Complexity."

From June 22-26 Professor Blomquist attended the American Law Institute American Bar Association course of study on "Environmental Litigation" at the University of Colorado School of Law in Boulder.

Professor Barbara Schmidt spoke on July 9 at a conference sponsored by the Family Law Task Force. The topic she addressed was "URESA Defenses" (Uniform Reciprocal Enforcement of Support Act).

In May Professor Schmidt and Professor Marcia Gienapp attended the Midwest Regional Conference of Clinical Instructors—AALS Division held at DePaul University in Chicago. Professor Schmidt also attended the 3-day AALS Clinic Instructors' Conference in San Antonio in March with Professor Larry Albrecht.

Professor Larry Albrecht attended the Krost Symposium: "Journey: Central American Migration" at Texas Lutheran College in February. He also participated in the Christian Legal Society's Symposium: "The Sanctuary Movement—Christians in Conflict with U.S.-Central American Policy" here at Valparaiso University School of Law.

Professor Albrecht participated as a trainer at the National Housing Law Project Conference held in Berkeley, CA in May. In May he also delivered three speeches. The first was delivered before a conference sponsored by the Metropolitan Milwaukee Fair Housing Council on the history of housing discrimination law and redlining. The other two speeches were titled "Policy Perspectives on Global Redlining and Community Disinvestment" for trainees at a HUD conference held in St. Louis.

Nancy Kohlhoff, law school registrar, was a panelist at the law school workshop when the National Network of Law School Officers met in Las Vegas, April 19-23. Nancy is the editor of the NNLSO Newsletter and is a member of the Board of Directors of the national organization.

Sarah Holterhoff, Documents Librarian, has been appointed to a 2-year term on the Government Documents and Information Subcommittee of the Indiana State Library Advisory Council. She has also been elected as Vice-Chair/Chair-Elect of the Government Documents Discussion Group of the Indiana Library Association.

Assistant Dean Curtis Cichowski was named to the Constitution Drafting Committee for the newly founded Midwest Alliance for Law School Admissions (MALSA). The Proposed Constitution was adopted at the first organizational meeting held in St. Louis on June 8. There are presently 38 law schools from eight midwestern states that are charter members of MALSA.

Katharine Wehling, Assistant to Dean - Admissions was elected to the Executive Board of MALSA as Treasurer. Her first task will be to incorporate the organization in Indiana.

Joanne Albers, Admissions Administrator, Katharine Wehling, Assistant to Dean - Admissions, and Assistant Dean Curtis Cichowski returned from the annual Law School Admissions Council/Law School Admissions Service Spring Education Conference held at St. Louis. Representatives from approximately 136 law schools from the United States, Canada and Puerto Rico attended the conference to discuss topics such as Financial Aid, The Changing World of Recruiting, Making the Most of Admissions Data, and Minority Affairs.



1987 School of Law Commencement exercises were held separately at the Chapel.

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## LOAN CONSOLIDATION

Loan Consolidation has been reinstated. Anyone who has \$5,000 or more in GSL, NDSL, PLUS, ALAS or SLS (if you have one you will recognize the acronym) may consolidate their loans and reduce their monthly payments. If you are interested in receiving information about loan consolidation, contact the Office of the Assistant Dean for more information at 465-7829 (outside Indiana 1-800-262-0656).



# CLASS NOTES

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## 1941

**William C. Hirsch** is now practicing law in partnership with his daughter, Miriam Hirsch Sheline (VU '81).

## 1947 REUNION

## 1951

**Malcolm Anderson** was elected to the board of directors of the Chesterton State Bank, Chesterton, Indiana, for 1987.

## 1952 REUNION

## 1955

**John J. Delworth, Jr.** of Rochester, Indiana, was elected to a third term as judge of the Fulton-Pulaski County Court in November.

## 1957 REUNION

## 1960

**Dieter Nickel** was elected "Chairman-Elect" of the Alliance of American Insurers at the association's annual meeting in Quebec. Nickel is President and Chairman of the Board of Church Mutual Insurance Company in Merrill, Wisconsin.

## 1962 REUNION

## 1967 REUNION

## 1968

**David Hessler** practices law in Brecksville, Ohio, and is the president of the Cleveland Lutheran High School Association.

## 1969

**Leonard J. Pranschke** mourns the death of his wife, Joyce, 39, in June. Leonard continues to practice with his firm, Draheim & Pranschke, in St. Louis, Missouri. He has four children.

## 1972 REUNION

**Thomas Guelzow** was recently elected treasurer of the Wisconsin Academy of Trial Lawyers.

## 1973

**Forrest O. Maki** is a candidate for the Judicial Council in Wisconsin.

**John Pera** practices law in his firm Greco, Pera & Bishop in Merrillville, Indiana. He and his wife, Linda (VU '73), have two daughters, Katie 4 1/2 years, and Anna, 9 months.

## 1974

**Randolph W. King, Jr.** has joined the Office of the General Counsel of the Navy and is assigned to the Office of Counsel, Military Sealift Command, located in Washington, D.C., at the Washington Navy Yard. He resides with his Golden Retriever, Bisque, in a Victorian house on Capitol Hill which he is renovating.

## 1977 REUNION

**Jeff Schlesinger** married Leslie Green in May. They reside in Highland, Illinois.

## 1978

**Sara E. Florek** moved to Coronado, California, passed the California Bar, and will be practicing law in the San Diego area.

**Steven W. Purtell** married Justine Tracy, a developmental specialist, in Cincinnati on March 7, 1987. They will be moving to Fayetteville, North Carolina, where Steven will work as an Assistant Staff Judge Advocate at Ft. Bragg.

**Steven H. Sproull** was married on May 9 to Paulette Lucker of Minneapolis. They reside in Austin, Texas where he is a partner in the firm of Lynch, Chappell, Allday & Alsop.

## 1979

**Kenneth Anderson** (VU '76) is a tax attorney with Arthur Anderson & Co. in Los Angeles.

**Ned Curtis** (VU '76) acquired an LL.M. degree in 1980 from Georgetown University. He now practices with a local firm in Vero Beach, Florida.

**John A. Johnson** practices in Grand Rapids, Michigan, and recently received the Floyd Skinner Justice Award.

**Daniel A. Lane** has left the Tippecanoe County Prosecutor's Office to join the staff of Lafayette National

Bank as an Assistant Vice President and Trust Officer.

## 1980

**Richard Cagen** practices in Valparaiso, and recently taught a course offered by the Portage Adult Education Center on "Surviving Divorce."

**V. Michael Drayton** is a partner with the firm of Sallwasser and McCain in LaPorte, Indiana.

**Daniel Ostojic** practices law in Portage, Indiana with **Greg Sarkisian** (JD '75).

**Donald Seberger** has become a partner in Jenner & Block in Chicago.

**Gregory A. Vega**, an attorney with the Internal Revenue Service in Chicago, has been elected secretary of the Hispanic Bar Association of Northwest Indiana.

## 1981

**David J. Boersma**, after serving five years as an associate in the general practice firm of Piccione, Keeley & Associates has opened his own private practice in Wheaton, Illinois.

**Nelson Chipman** and **Maggie Mawby Chipman** (JD '82) announce the birth of their second child, Mary Elizabeth, on June 17th.

**William M. Demmon, Jr.** is a claims attorney in the home office of the Design Professional Insurance Company of Monterey, California, which markets professional liability insurance.

**Michael Troemel** practices with his firm Merritt & Troemel in West Lafayette, Indiana.

**Alan J. Zimmerman** and his wife Teresa had a son, Nathaniel Edward, on April 3.

## 1982 REUNION

**Ray Merritt** and **Leslie Merritt** announce the birth of their first child, Adam Bradford, on April 23, 1987. Ray practices in Lafayette, Indiana with his firm Merritt & Troemel. Ray was recently re-elected to a second term as President of the St. Joseph's College Alumni Association, and has served on the College's Board of Trustees since 1985.



# CLASS NOTES

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**Dennis D. Meyer** and his wife Valerie are proud to announce the birth of their son, Gregory Thomas, born on February 21 in Denver, Colorado.

**Robin W. Morlock** of Crown Point has joined the U.S. Attorney's Office as an Assistant in Hammond, Indiana. He will handle bankruptcy and taxes cases for the office.

## 1983

**Walter Kaminsky** and **Sally Schalk Kaminsky** (JD '83) announce the birth of their first child, Thomas John, on April 8.

**David L. Kent** was recently promoted to Director of the Legal Assistance to Prisoners program of the Connecticut Prison Association located in Hartford, Connecticut.

**Laurie Pangle**, Associate Counsel for The Toledo Trust Company, was recently elected Secretary and Counsel of Trustcorp Company National Association, a national bank in Columbus, Ohio. She plans an October wedding with Robert Watrol in Columbus.

**Jane M. Ryan**, of Rockville, Maryland, after working four years with the Employment Litigation Section of the Civil Rights Division of the U.S. Department of Justice, is joining the Housing and Civil Enforcement Section of the Civil Rights Division.

**Joseph Taylor** practices with the firm Garretson & Santora in Chicago.

## 1984

**Brian J. Clark** has become associated with the law firm of Church, Nilsson & Paulen in Elkhart, Indiana.

**John Hurlburt** is an attorney with the Justice Department Division of Immigration and Naturalization Service in Chicago. John and his wife, **Cathy Schick-Hurlburt** (JD '85), are expecting their first child in September.

**Leeanna Kirkwood** and her husband, Brian, announce the birth of their first child, Annie Elizabeth. Leeanna now practices in the offices of Bingham, Farrer & Wilson in Elwood, Indiana.

## 1985

**Kimberly (Ewing) Hardesty**, after being admitted to the Kentucky bar in 1986, has left her position with Legal Services to take a position as Continuing Education Coordinator at the Madisonville Community College in Madisonville, Kentucky.

**Cathy Schick-Hurlburt** has associated with the firm Ariano, Anderson, Bazos, Hardy, Kramer & Castillo, P.C. in Elgin, Illinois.

**Ben Llaneta, Jr.** married Nancy Moes (VU '85) on June 4, 1987 in Highland, Indiana.

## 1986

**John M. Evans** is director of school improvement projects at Indiana State University, Terre Haute, Indiana.

**Terri Golobish** is associated with the firm Friedman & Friedman in Harrisburg, Pennsylvania.

**Thomas D. Guest** is associated with the firm of David K. Guest, and resides in DeKalb, Illinois.

**Phillip Houk** is employed by the Allen County Court in Fort Wayne, Indiana.

**Wanda E. Jones** has associated with Rubino and Padula in Hammond, Indiana. Wanda plans to marry Chris Isidore in August.

**David Sirugo** practices with the firm Sallwasser & McCain in LaPorte, Indiana.



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## IN MEMORIAM

### 1922

**Dewey Kelley** died on March 21. He had retired from the bench.

### 1931

**Willert Beer** of Reston, Virginia, died on May 2, 1986.

### 1951

**Charles Kohler** of Greensburg, Indiana, died in May.

## MAGNANIMOUS GIFT BY ST. LOUIS-AREA ALUMNI

**Richard Duesenberg** ('53) spearheaded a successful venture in St. Louis to encourage the St. Louis area law alumni to pool their resources to contribute a room in the new law building. This contribution is commemorated by a bronze plaque bearing the names of the donors and dedicating the room to the School of Law by the St. Louis area alumni.

Due to the enthusiastic response of these alumni, efforts are now underway, following alumni receptions held in Chicago; Washington, D.C.; South Bend, Indiana; and New Buffalo, Michigan to encourage alumni in these areas to join together in their respective regions to contribute rooms in the new building as well. Regional coordinators are contacting alumni in their respective areas.

In the Chicago area, **Herbert Stride** (JD '57) with the help of **Edwin Eich** (JD '74), **Jackie Leimer** (JD '81), **Alan Saake** (JD '74), and **Mary Squyres** (JD '82) have already contacted many alumni. **Benjamin Vogler** (JD '59) and **Christopher Nuechterlein** (JD '76) are coordinating efforts in Washington, D.C.

For the New Buffalo/Southern Michigan area, **Dominic Farina** (JD '42) is working in conjunction with **Terry Redamak** (JD '72) and **Mary Redamak** (JD '72). In the Elkhart/South Bend area, **Bill Thorne** (JD '49) with the assistance of **Bob Lee** (JD '66) and **Mike Pianowski** (JD '79) have been working to join together alumni.

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## GRADUATES ASSUME HIGHEST OFFICES IN MUSKEGON COUNTY BAR ASSOCIATION

Although there are only a handful of School of Law graduates practicing in the Muskegon, Michigan area, our graduates have filled three out of four of the top offices of the 190-member Muskegon County Bar Association. **David M. Wells** (JD '76) was elected president; **Edward A. Grafton** (JD '78) was elected Vice-President; and **Roy J. Portenga** (JD '81) was elected Secretary.





# ALUMNI IN FOCUS

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## High Tech Frontiers

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### Keith L. Milbrandt

In a management position at Hughes Aircraft Company in the Ground Systems Group and as the Assistant Director of Materiel, Keith Milbrandt (JD '74), guides eight divisions that support product lines such as air traffic control and other radar support systems. At Hughes he uses his legal training extensively in the management of contract issues and application of researching and reasoning processes. He is a skilled negotiator who enjoys the tense aerospace and defense atmosphere. Challenges come minute-to-minute with systems issues and constant people interaction on problems.

Keith has been involved in high tech aerospace concerns for many years. He participated in the Apollo and Saturn programs from 1962 to 1971 with Rockwell International. For six years he acted as a systems and launch engineer for the Saturn V at the Kennedy Space Center, and also completed a BSEE during that period.

After finishing law school, he was in Contracts on a space satellite program and then to Materiel on the Space Shuttle program. As a Legal Advisor, Cost Analysis Manager and Procurement Director, he guided complex negotiations, including prime contracts with NASA and subcontracts in the over-\$100-million range.

Because of the highly technical nature of the business, he works closely with engineering, production and program management. Clarity of thought and unique communication skills are essential. He has also learned to deal with constantly changing government regulations that reflect day-to-day defense contracting problems which form a "case law" forcing function for change. "There is a comparable symmetry in law and corporate problem-solving. Often chaos can be reduced to an Issue-Facts-Rule-Alternatives resolution," Keith said.

His job encompasses three basic areas—contracts, technical processes and human relations. Everything is interrelated and draws on the reasoning-by-analogy techniques of law school. He encounters most aspects of contract law in his job—every day presenting something new. Though Materiel is only a part of the corporation, he finds that it employs all aspects of business management in dealing with subcontractors, particularly aggressive entrepreneurs.

He has taught at UCLA and California Polytechnic State University and often speaks at professional gatherings, such as the National Contract Management Association.

After nearly twenty-five years of aerospace/defense



Keith L. Milbrandt

industry participation, Keith says, "The foundation is nearly complete, although, I'm not too sure what the structure will become. The options are many and the challenge only grows."

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## Indiana State Police Officer/Legal Advisor/ Lieutenant

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### Jerome Ezell

As one of two area Legal Advisors for the Legal Division of the Indiana State Police, Jerome Ezell (JD '76) handles all field matters for the thirty northern counties of Indiana.

Jerome joined the Indiana State Police in 1968 and began attending Indiana University part-time after serving two years in the United States Marine Corps. He received his degree from I.U. in 1970.

Through his many contacts with attorneys as a state police officer, Jerome had a great deal of contact with lawyers. Developing an interest in the law, Jerome decided to give law school a try. He enrolled at the School of Law in 1976, and received his degree in 1979. Throughout law school Jerome remained on active duty investigating criminal matters as a detective for the Indiana State Police.

Jerome transferred to the Executive Division of the Indiana State Police, and serves in the Legal Division. The Legal Division is, in Jerome's words, "the troubleshooter of the Department." Whenever the State



# ALUMNI IN FOCUS

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Police are threatened with potential liability, Jerome is called upon to gather facts surrounding the incident, gather all documentation, and possibly assist the Attorney General's Office with any litigation.

Jerome also acts as "an in-house law firm" for the State Police. One of his most important duties is making sure that all State Police Officers know the law and proper procedures to be followed. To accomplish this task, he regularly conducts training sessions on all new laws and drafts and disseminates enforcement aids that pertain to new cases involving criminal justice. "My goal is to make sure that all of our officers are cognizant of citizens' rights."



*Jerome Ezell*

Serving as a liaison between the Prosecutor's office and the officers, he explains the reasons why cases are dismissed and provides ongoing legal assistance to troopers when they are working on cases. Like most attorneys he spends a great deal of time answering questions and providing legal insight into problems that arise.

Jerome provides legal assistance to area commanders, advising them on matters ranging from criminal law to civil rights law to labor law. He also is responsible for disciplinary proceedings within the department. He drafts search warrants for the State Police and often provides legal assistance to local police departments.

Friendly and outgoing, Jerome loves his job. "It's interesting," he says, "and I enjoy the excitement of being a police officer and the excitement of the law. I am involved with many diverse areas of law since legal issues surround all State Police activities. With the combination of police work and legal work, I have the best of both worlds."

Jerome has a great deal of pride in the Indiana State Police. "Our troopers are as well-prepared regarding legal matters as any police department in the United States."

Jerome has continued to make northwest Indiana his home. He serves as an adjunct lecturer on Criminal Justice at Indiana University and also as a Junior High basketball and baseball coach. He has three children, ages 12, 15, and 18.





# Commencement '87

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## *"Guilty with an Explanation"*

By Bruce Berner

*On May 17, 1987, Associate Dean and Professor Bruce Berner delivered these remarks to graduating students and their friends and families at Commencement exercises held at the Chapel of the Resurrection.*

It is, of course, customary at commencement exercises to remind graduates that "commencement" as such indicates a beginning, not an ending. Customary though it be, it is, in substantial part, false. And while you all are rightly busy thinking about the things you will be commencing—a job, study for the bar examination, paying off your educational debt—I'd like for a moment to reflect on the chapter of your life now closing. I do this in large part because I am not competent to tell you much about what is ahead—I only myself lived in the "real world" of law practice four years, and they hardly count since they were in New Jersey.

One of the large truths about education—including certainly legal education—is this: "From the day you got here, we all looked forward to the day you would leave." (With some of you this was undoubtedly more true than with others.) All education is self-education, which is just another way of saying that the main job of a teacher is to render himself/herself obsolete. (No doubt many of you are thinking that many of us had done that *before* you even arrived.)

The most common, most troublesome, indictment of legal education in the twentieth century is that it dehumanizes its consumers. Everyone who goes through the process recognizes it in some form, however inarticulate, and social psychiatrists claim to have "proven" it, to the extent that you can prove such a thing. I would like to talk to you about what has happened to you over the last three years and meet the indictment with the plea of Guilty with an Explanation.

First, if law school aims to dehumanize, it was clear to me from the very first day that you folks were going to be a challenge. As I entered the old court room (you people outlived both a dean and a building) for the very first criminal law class ready to meet the typically intimidated, nervous, group of new students, I saw a note on the podium. Puzzled, I read it—it said "Hey Prof., Have Some Fun with the guy who calls himself Big Ron." The only thing a serious academic could do at that point was to have some fun with Big Ron. If we were expected to dehumanize this group, we had a ways to go.

Back to the indictment—the learning of any new discipline, any new skill necessarily entails focus—emphasis. Bringing anything into focus takes other

things out of focus. I don't see any way around this whether we are talking about cameras, eyes, or minds. The trick is to remember that certain things are temporarily out of focus—de-emphasized for a reason—and to remember where they are and how to retrieve them. There are many trade-offs, and I mention only a few. You have been forced to focus on the RATIONAL at the expense of the EMOTIONAL. You know that some people who are hurt are hurt by direct causes, some by indirect causes involving an independent, unforeseeable superseding act. You know why Mrs. Palsgraf cannot recover money from the Long Island Railroad even though she was frightfully hurt. You cannot forget, however that all people who are hurt are hurting. We are taught as lawyers to TALK (some may add, whether or not we have anything to say), and we thus become less adept at LIS-

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*"The lion and the lamb will  
lie down together, but the lamb  
won't get much sleep."*

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TENING. But you must listen to clients. They have decided more to tell you than you them. We are taught to THINK, and, if we are not careful, thinking becomes an excuse for not ACTING. And the biggest danger of all—to refine analytical skill, we tend to think of people as things attached to problems rather than the other way around. As a good non-lawyer friend of mine loves to say, lawyers always present hypotheticals populated with A, B, C, x, y, and z so that they don't make the mistake of confusing their clients with human beings. (It is extremely important, as a lawyer, to have non-lawyer friends—their wide-angle lens works much better than ours.) (It is especially important to develop these friends because once you begin to act like a lawyer, your family may disown you.)

Finally, as Class Advisor, it is incumbent on me to do the one thing the title suggests—give advice. You have the equipment and will shortly have the license to do a great deal of good or a great deal of damage. Be careful with it. The Surgeon General has determined that law licenses are hazardous to the health of other people. And it is not really yours except that you hold it in trust for others.

Let me quote a line from my favorite philosopher, Woody Allen, in one of his rewrites of scripture: "The lion and the lamb will lie down together, but the lamb won't get much sleep." Whatever you do with your degree, no matter how many lions it is your good fortune to represent, do the Valparaiso University School of Law one last favor: EVERY ONCE IN A WHILE, HELP A LAMB GET A LITTLE SLEEP.



# Commencement '87

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## *"Going Forth with the Right Stuff"*

**Alan S. Morrisson, '62**

*Alan S. Morrisson formerly taught at the School of Law and now serves as General Counsel for the Sverdrup Corporation in St. Louis, Missouri. He shared these thoughts at Commencement on May 17, 1987.*

I was flattered to be asked to speak to you today. This is a time of transition. Law school deans, like basketball coaches, are looking forward to next year's class and you are undoubtedly looking ahead to jobs and bar exams.

My egotistic euphoria at being asked to speak gave way rather quickly to a slight discomfort when it occurred to me that just 25 years ago I had sat in your seat as a member of the Law School Class of 1962. My discomfort was heightened when I couldn't recall the content of the address to which I was subjected or for that matter, the identity of the person who was delivering it. With that sobering thought before me, I took a somewhat different view of my mission here today.

For those of you who are not decked out in those medieval costumes, I have bad news. For you spouses, parents, relatives and friends, for many of you who have paid the bills for these graduates, I can only offer the gloomy prediction that they will continue for some time to question everything you say with that contentious nature you have grown to loathe over the past three years. Seemingly innocent and pleasant statements on your part are met with vigorous cross-examination. My young friends, you are trained to have an instinctive regard for the regular connection of ideas which makes you unsympathetic to unreflecting passion. Your parents, spouses and others to whom you have exposed your legal training should be rewarded by God for having the patience, love and understanding to have put up with you through these years. You now need to guard against using your training to your detriment. Very few people understand logic and relevance or are governed in their thinking by either. When in a social situation you destroy the dearly held but logically suspect vision of a friend; you may only earn well deserved resentment and you may become the pariah of the cocktail party circuit. To use Justice Holmes' metaphor "you cannot argue a man into liking a glass of beer."

For many of you, this compulsion to ravage the most innocent statement will fade away. You will be the lucky ones. Others will carry to the grave the conviction that it is fun, if not morally imperative, to question the beauty of a sunset. These people would be better off if they could embrace, in the words of

country and western artist Tom T. Hall, the virtues of "old dogs and children and watermelon wine."

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*"... you cannot argue a man into liking a glass of beer."*

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If they work at it, lawyers can be very interesting people with interests wider than their training might suggest. I enjoy talking with lawyers but not because I want to talk shop. God forbid! The greatest bore in the world is a lawyer who tells you about his cases when you want to tell him about yours. Legal shop talk is unutterably dull and lawyers in mass, at bar association meetings for instance, can be formidable. I think we have the chance to be well rounded persons because we are continually made aware of the complex, subtle and varied nature of human life and human institutions. At the worst end of the spectrum one can become cynical; lawyers are prone to that social disease and the wonder is that more are not, for few professions permit such continuous observation of human folly and that can skew your judgments about human nature. But at their best, lawyers gain an appreciation of the ambiguities of modern life. These ambiguities exist in business and personal affairs and in the relations of individuals and institutions to the state. A realization and appreciation that you should be skeptical in the extreme of someone who claims to have cornered the truth market can go a long way toward making you a tolerant, understanding person who also happens to be a lawyer.

I have more bad news. Not everyone holds lawyers in the highest esteem. A recent episode of the television show *St. Elsewhere* portrayed two people walking down a corridor. One said; "I need to see a decent lawyer" the other replies; "That's a contradiction in terms." A recent Jack Anderson column began "America has become overpopulated with lawyers who endlessly prolong their procedures and increase their fees while justice languishes." *Business Week* leads into an editorial exhorting the executives of both Penzoil and Texaco to spend a weekend together reading Charles Dickens great novel *Bleak House*. It, of course, recounts the case of Jarndyce and Jarndyce, a fictional lawsuit over a disputed inheritance that Dickens based on an actual case. When it is finally settled, after decades of snail-paced litigation, everybody discovers that lawyers and court costs have consumed the entire estate.

Today, many observers view the relative ease with which people gain access to the courts the way Martin Luther viewed the sale of indulgences—as an unconscionably easy way of absolving sinners of their sins,



suggesting that the general populace expects as their due, a risk free society. Others resist with a fervor that is usually reserved for debate on politics and theology the notion that we are a litigious society and argue that any attempt to curtail the opportunity to "go to law" is a manifestation of original sin.

Clearly my friends, you are entering a profession that is undergoing rapid change. That kind of talk is cheap. All over the country today graduates of various disciplines are being told that they will face change in their chosen field. New chefs at the Culinary Institute, fashion designers at the Drexel Institute are warned of change. And, they are being told the truth! The difference, however, is that change in your chosen field will more seriously impact the lives and habits of the general public than will the future of blackened red-fish as a culinary delight or the distance of the hem-line from the ankle in the fashion world. But consider—in 1922 a chemical company owned some land on the outskirts of a town in Kansas. The company decided to give up its factory there and tore it down, leaving a brick cellar which soon made an attractive pool of accumulated water. The water looked clean but was actually, as the company knew, dangerously poisoned with sulfuric acid. A husband and wife and their two sons, eight and eleven years of age, were traveling by and camped near this place. The boys came onto the property, saw no sign of warning because there was none to see, went into the water, were horribly burnt and died. Speaking for the majority in a 6-3 decision of the Supreme Court of the United States, Oliver Wendell Holmes held that as a matter of law the chemical company was not liable because "it is at least doubtful whether the water could be seen from any place where the children lawfully were and there is no evidence that it is what led them to enter the land." Compare that with recent holdings that impose criminal responsibility on owners of businesses for exposing their workers to dangerous chemicals without warning or protection. To environmental legislation that imposes liability without fault and without attention to traditional theories of causation. Indeed, a U. S. Justice Department spokesman has characterized Superfund as a "liability allocating system that is more like a tax than a tort."

There are changing attitudes about the way in which our tort system operates. Purists decry the changing role of privity, fault and causation. Legislatures are currently awash in proposals for tort reform. Many legislators are blissfully unaware of what they are being asked to reform. On the one hand they are told that reform is necessary because of the explosive increase in insurance premiums, increases so dramatic that village physicians, attorneys, engineers and accountants are going bare without insurance and thus jeopardizing the fate of those who might suffer malpractice at their hands. Others insist that the whole mess was brought about by greedy insurance moguls who have created a crisis out of "whole cloth." Lined up on either side of the issue and at another point of the spectrum are groups of attorneys who like mythical gods chucking thunderbolts at one another from

adjoining mountain tops proclaim their dismay at the arguments advanced by the other. Both groups readily predict the fall of the Republic should the other position prevail. Unfortunately, the majority of the protagonists can readily be identified as belonging to either the defense or plaintiff's bar, and their arguments can just as easily be identified as springing from economic self-interest. Too few of the participants in the debate get seriously to the merits of the principles that are the subject of reform.

If you are going to be anything other than simply a user of the system, you have to get beyond the immediacy of your own self interest. I'm very aware of the need to make a living and that at this point in your lives the prospect of gainful employment is a pleasant one—not only to you but maybe to your families too. Nonetheless, it's important to address issues on a different level than just economics if you expect to be considered as a member of a profession. Establish your attitudes early. It won't be easy. A newly hired Wall Street lawyer who must justify a \$70,000 salary—a member of the nouveau riche—may find it hard to focus on philosophical abstractions. But regardless of your own situation—you owe it to yourself to try.

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*If you are going to be anything other than a user of the system, you have to get beyond the immediacy of your own self-interest.*

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NOW PAY ATTENTION—this is the part I want you to remember! You will make a choice, either consciously, or you may simply drift into a choice without any understanding that you have made one. Lawyers who are used to having their main choices determined by the necessities of their clients are often at a loss to shift their mental gears when they are put to a choice of competing policies. But you do form habits about your attitudes early on in your professional life. Once formed, habits are hard to break. Witness the proliferation of tapes, seminars, mail order courses and institutes that all promise to alter your life style. But a sad moment arrives when you reach the time when it is too late to change your attitudes. Sadder, you will undoubtedly not realize that you have reached that point.

Anyway, quite simply, you will choose to use the legal system as a means of providing you with a comfortable living or you will choose to be part of the evolution of the system. You will choose to view it as a set of rules that are sufficiently complex and uncertain to provide you with a constant supply of clients—sufficient to maintain your desired lifestyle, or as a system that provides some order to society, protection to citizens and a modest measure of predicta-



bility to individual and commercial transactions on a somewhat simplistic level—you will either use our legal system for your own gain or you will participate in its development.

Well “OK wise guy” you may say—“just what are we to do?” And, I don’t know. But I think it will help if, for instance, you become involved in local, state and national bar association activities. Read for your own intellectual growth, not just as a means to extinguish an immediate brush fire. Engage in meaningful pro bono work. Attend and participate in CLE activities—and not just because you have to. Involve yourself in volunteer work for your church, your community, a charitable organization or your alma mater. Above all, do things that foster an inquiring mind and promote an active intellect.

Don’t dodge the issue by convincing yourself that you are simply an advocate—that judges and juries are the real decision makers. When Benjamin Nathan Cardozo confessed in 1921 in *The Nature of the Judicial Process*—a collection of speeches made into a book that everyone talks about but few have read—that judges were on rare occasions more than simply robots—that they made law instead of simply declaring it, his suggestion was widely regarded as the legal version of hard core pornography. But we know today that judges and lawyers, and, in their own way, juries too, “make law.” You are also participants in the legal process and you bring your moral values to bear on it.

One of the important functions of a school of law and especially one that claims kinship to Christian values, is to offer exposure to and examples of such values. Whether these are described as “ethics” or moral values or even professional responsibility isn’t important. What is important is that you understand the need to bring to your lives a level of professional conduct that transcends that of medieval knights in

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*“Brave men are not uncommon in any system, but there is a tendency in many systems to make courage and openness of mind to the significant facts mutually exclusive.”*

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combat. Whether you do or not will in large part be a measure of the success of this law school’s mission.

You may go through your career with few decisions that will call into serious question your moral values. As Edmund Cahn has said “emergencies do the work of moral revelation.” Suddenly the tempo of your life will be rudely interrupted with the same raucous intervention as the claxon on a diving submarine. You won’t have the luxury of time to reflect and weigh the consequences of your options. When the emergency

has passed, you will likely know something new about yourself—something about your latent capacities or incapacities. You may discover a great deal about what kind of person you really are. Such situations put questions to each of us which are penetrating to the point of embarrassment. Of course, not everyone will experience this embarrassment, for a question is “penetrating” only when the mind to which it is posed has some depth. Shallow minds will be inclined to wonder what all the fuss is about.

I have always admired the late Dean Acheson, former Secretary of State and an advisor to several Presidents. He was usually in very hot water with the communist hunters of the late 40’s and early 50’s. Once in 1950 he was appearing before a Senate Committee that was giving him a going over because he was defending the integrity of people who had worked for him and with him at the Department of State—people not held in very high regard by the members of the Committee. Mr. Acheson said in his graceful way: “One must be true to the things by which one lives. The counsels of discretion and cowardice are appealing. The safe course is to avoid situations which are disagreeable and dangerous. Such a course might get one by the issue of the moment, but it has bitter and evil consequences. In the long days and years which stretch beyond that moment of decision, one must live with one’s self; and the consequences of living with a decision which one knows has sprung from timidity and cowardice go to the roots of one’s life. It is not merely a question of peace of mind, although that is vital; it is a matter of integrity of character.”

I hope you have the integrity of character and the “right stuff” to bring forth the world of the 20th and now the 21st century. In this task, idealism isn’t enough. “Brave men” it has been written “are not uncommon in any system, but there is a tendency in many systems to make courage and openness of mind to the significant facts mutually exclusive.” You have courage. You have competence. I hope you have integrity of character. We wish you good luck all the way.



Alan S. Morrisson, '62



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## "Going Home Again"

By Louis F. Bartelt, Jr.

*Professor Emeritus Louis F. Bartelt delivered this address on the occasion of the Dedication of the new law building, Wesemann Hall, April 4, 1987.*

Mr. President, Dr. Rosenblum, Distinguished guests, colleagues, alumni, ladies and gentlemen:

A couple of weeks ago, Associate Dean Berner asked me whether I would be willing to make a brief—*nota bene*—presentation on this august occasion. I understood him to say that I should give a historical sketch of the various places the law school has been located on campus since its founding in 1879. Subsequently, in response to a question, he indicated that my topic might be broader and include more of the history of the law school. But since we are dedicating the new building this weekend, I decided that I would not bore you with a general history; rather I will stay with my original understanding and bore you with an account of the law school's housing since its inception.

Classes for the new law school—The cooperative product of President Henry Baker Brown and Attorney Mark L. DeMotte—began in mid-November, 1879, but there are at least three different versions of where they met in those early years. One source has them meeting in a storefront downtown; another in DeMotte's law offices; and yet another—and probably the most authoritative—in a classroom in the old College Building, so-called, destroyed by fire in 1923.

Not quite a decade after the founding, Colonel DeMotte bought the house owned by Professor Felix Eclblad, head of the Fine Arts Department, and remodeled it to accommodate the law classes. I have seen only one picture of a classroom. Bookshelves line the walls, the central area is occupied by rows of theater-like seats, and off to each side are wooden, spindle-backed arm chairs. The only place that students could have taken notes was on their laps—if they took notes.

This house was on Greenwich about two blocks north of and across the street from the new building we are dedicating. It remained the law school's home for about 40 years. In 1928, the Lutheran University Association, which had purchased the almost-defunct institution three years earlier, was trying to gain accreditation of all of its divisions, including law school recognition by the American Bar Association and membership in the Association of American Law Schools. Evidently, the Administration thought that achieving these objectives would be less difficult if the law school were housed in more attractive and more academically conducive surroundings, so it moved the

operation into the newest building on campus—the Domestic Science Building—which also housed the Commerce Department and the Teachers' College in the early years of the Lutheran Administration. For some 30 years the building was called Arts-Law. In 1959, the centennial year of the University, it was renamed DeMotte Hall in honor of the law school's first dean. As many of you know, that building still is used. It stands about a block northwest of the law school's new facilities.

In the mid-1940's, the law school occupied the second floor of DeMotte. There were a couple of offices, but about half of the space was the library. In the other half was a small classroom and a "courtroom." There was a cute little bench—legend has it that it was salvaged from the Porter County Courthouse after the fire there in the mid-1930's—and a couple of decrepit counsel tables. This room also was used for some classes. The counsel tables would accommodate them. There were three graduates in 1943, none in 1944, one in 1945, and none in 1946. But things were changing rapidly. With the influx of veterans, it became clear that something had to be done—fast—to accommodate the almost unprecedented enrollment.

The law school's floor in DeMotte was changed during Dean John Morland's administration. Except for two or three offices it became entirely library. Some classes were held in a couple of the rooms on the third level of DeMotte, in a large classroom attached to Heritage Hall, then the University library, and in a former residence that stood between it and DeMotte. It was called Arts-Annex. About the same time, the university acquired a couple of one-story frame buildings that, I think, had been temporary structures at some military base during the war. One was used for classrooms and offices. Some law classes met there, and a couple of us had our offices there. This complex was located on the corner of Greenwich and Mound directly across from Lembke Hall—very recently razed—and, therefore about cater-corner from the new facility. A fraternity house now occupies the spot. And, if memory serves me, moot court activities were carried on in a remodeled, one-story, ramshackle building directly across from DeMotte. This building and Arts-Annex no longer exist.

In 1955, in anticipation of Knute Stalland of Minnesota assuming the deanship, some remodeling was done on the third level of DeMotte. The entire south half was converted into offices. Across the hall, some changes were made in a rather large room so that it would serve as a classroom and as a courtroom—again in quotation marks. A rail was built across the middle of a spectator area—which also served as student seating for classes. The "bench" was simply a double-pedestaled desk situated on a rather crudely-built platform about a foot and a half high. The platform was mounted on casters so that it could be moved up to the rail for classes, and pushed back to



the wall for mock trials or appellate arguments. There was a jury box of sorts, a witness chair, and a couple of ancient counsel tables. Large chalkboards were mounted on two walls of the bar area. To make the room look less like a classroom and more like a court during mock trials and arguments, there were large beaverboard panels painted the color of the walls that could be hung from hooks over the chalkboards, thus hiding them. I shall never forget one afternoon when Professor Jack Hiller and I hung the panels and otherwise arranged the room for a mock trial that evening. As we left we paused at the door to the corridor and glanced over the setting to see that it was in order. In a deprecating way I said "Look at that!" His immediate, tongue-in-cheek, exclamatory, response was—"It's Lincolnesque!" It may have been, but it did not impress the American Bar Association inspector who visited the school about that time. In his report he wrote that the school has "a good faculty with some outstanding teachers (present company excepted), but the physical facilities are among the most inadequate in the country."

Dean Stalland's primary objective during his tenure in office was a new building for the School of Law—and, of course, he succeeded. In the summer of 1963 we moved into the first Wesemann Hall. Its facilities were vastly superior to anything the law school had occupied during the first eight decades of its existence. Financial exigencies did necessitate a few changes from the original plan. For example, the library wing was to have had a second level balcony-floor, the courtroom and large classroom were to have been separate, we got an elevator shaft, but no elevator. It was to await future expansion to the second level—when needed. And, if you entered two rooms from the courtroom, the lettering on one door read "Judges' Chambers," on the other "Jury Room." If you entered those same rooms from the lobby, one door read "Faculty Lounge," the other "Seminar Room."

But despite these modifications, for the 83 students, the dean and administrative staff, and seven faculty members, the new building was Paradise found. And, of course, space was no problem—then—but only a decade later with enrollment climbing to unprecedented levels necessitating additional faculty, staff, and library space, the time for expansion was nigh. When the building was constructed, future expansion plans included the balcony floor in the library, and the addition of classrooms to the west wing, and offices to the east wing. These approaches proved to be impractical and too expensive. So in 1975-1976, during Professor Meyer's deanship, the library wing was expanded to the South. But the crowding continued, and during Professor Charles Ehren's tenure as dean, it became necessary to house several faculty members and The Clinical Program in Lembke Hall, mentioned earlier. And when the accreditation team made its periodic inspection a few years ago, it was critical of the overcrowding and said we needed new facilities.

And today we dedicate those new facilities, the second Wesemann Hall in less than a quarter of a century, and with about three times the square footage

of its immediate predecessor. I need not describe the new building—you have seen it or will see it.

Except for a significant warp in the arc when we occupied Wesemann I on the new campus, the law school locale has literally come full circle. A very short distance—a few steps—southwest of Wesemann II is a flag pole and Founders' Rock—the latter commemorating the University's purchase by the Lutheran University Association. It was there that the law school's first home—The Old College Building—stood.

Who said you can never go home again?



*Professor Emeritus Louis F. Bartelt*

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## Policy Perspectives on Global Redlining and Community Disinvestment

**Lawrence G. Albrecht**  
*Visiting Assistant Professor of Law*

*Excerpt adapted from a speech entitled "Policy Perspectives on Global Redlining and Community Disinvestment" presented at the HUD Fair Housing Assistance Program Training Conference in St. Louis on May 26-27, 1987.*

I recently read an article in the *New York Times* speculating on the future course of interest rates and its impact on the direction of the stock market. The article quoted Stanley Salvigsen of Comstock Partners who believed that the long term trend for interest rates was down due to "global redlining" of bad international credit risks, particularly in Latin America, which will make available a great pool of money for good credit risks. Global redlining is, in part, a response to Brazil's unilateral decision in February, 1987, to suspend interest payments on its debt and the reaction of Citibank, Chase Manhattan and other U.S. banks to increase their loan loss reserves. Global redlining is widely viewed as a positive policy development because resultant lower U.S. interest rates will, theoretically, lead to corporate expansion, a surge in homebuying and, overall, a higher stock market. In essence, global redlining constitutes a public policy designed and implemented by powerful private lending institutions to promote and benefit our domestic economy.

Of course, the perspective of the Third World, and most particularly Latin America, is quite different. Latin American economies continue to suffer from run-away inflation, high interest rates, economic stagnation and lack of access to credit. The impact of global redlining will be that necessary financial credit to fuel economic growth will be severely curtailed with extraordinary consequences that extend far beyond the economic arena. The pace of economic development is inexorably linked to the institutionalization of social justice and political stability. Simply put, the greater the credit impediments to economic development the greater risk of economic and social turmoil accelerating the risk of political upheaval. All of these risks, of course, run counter to U.S. foreign policy objectives in Latin America. In light of the full spectrum of these inherent risks, we should and must reconsider whether the judgment of private U.S. financial institutions that global redlining is a "good" is shortsighted and at odds with public foreign policy objectives at stake in Latin America.

Unfortunately, the public policy debate in this country over the Latin American financial crisis is not

focused on these broader social, economic and political issues. Rhetorically put, who on Wall Street or in the regulatory agencies speaks for the economically redlined and disenfranchised population of Latin America? What public and institutional forums exist wherein their interests must be heard and reflected in investment decision-making processes? The citizens of globally redlined communities lack "standing" and consequently are powerless. The consequences of this institutional powerlessness will, undoubtedly, be reflected in increased societal unrest, such as that currently rocking Peru, where inflation and other economic miseries have recently spiralled. In light of this projected scenario, from which perspective are we to evaluate whether global redlining is a positive development? Can it not be argued that investment, notwithstanding heightened short term economic risks for lending institutions, promotes our long-term public policy interests by promoting positive economic interdependence and development of democratic institutions which enhances prospects for regional peace?

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*The pace of economic development is inexorably linked to the institutionalization of social justice and political stability.*

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Now, I would like to offer an analogy between global redlining and redlining and disinvestment within our own communities. St. Louis, like many U.S. cities, has experienced a substantial revitalization of its downtown area in recent years. This redevelopment scenario is familiar to all of you. However, parallel to this phenomenon has been the governmental and institutional redlining of inner city neighborhoods most urgently in need of an infusion of investment capital. Inner city redlining, as a private institutional policy, is the result of two inherently linked factors: perceptions of increased investment risk and race consciousness. This link was uniquely established for me during a 1970 visit to St. Louis. My friends and I were physically prevented by police officers from entering the Black community surrounding the infamous Pruitt-Igoe public housing project because of the perceived risk to our personal safety. In a real sense, we had been subjected to another form of public "redlining"—a governmental policy to exclude individuals from a community due to their race. (As most of you know, thereafter the Pruitt-Igoe project was dyna-



mitted to the ground but still stands as a symbol of the failure of our public housing policy.) Of course, the inner city community surrounding Pruitt-Igoe has been redlined by financial institutions ever since and governmental housing and urban development policies, in my opinion, have actively promoted this continuing process of disinvestment. It is easy to rationalize why downtown St. Louis has been revitalized in recent years while the Pruitt-Igoe community remains in ruins. What banker would invest in a community he could not physically enter? The magnitude of economic risk is greatly compounded by inherent racial fears and anxiety. Why assume such investment risks?

But how are the equally compelling interests of the residents of such communities factored into private and public redevelopment policies and programs? Private financial institutions are neither charged by law nor by public policy with that responsibility. The federal government's direct and supportive financial investment in our inner cities has greatly receded in recent years. President Reagan's "urban enterprise zones" proposals languished. State and local governments have not noticeably stepped in to fill this financial and policy vacuum. Similar to our short-sighted approach to Third World debt, our community disinvestment policies also constitute disinvestment in the economic, social and political structures of our inner-cities and will inevitably pay negative dividends.

Well, what are you to do about redlining in your communities? Let me outline several related legal and political strategies: 1) redirection of community development priorities and policies within HUD towards stagnated inner-city neighborhoods; 2) revitalization of the role of the federal courts through selective enforcement proceedings, such as *NAACP v. HUD*, 817 F.2d 149 (1st Cir. 1987) where the First Circuit chastised HUD's administrative failure to actively further and promote our nation's fair housing agenda; 3) increased political pressure on state and local legislatures and courts to focus on community redevelopment priorities. For example, while the much-heralded movement to redirect civil rights cases to state courts has not significantly increased fair housing enforcement, nevertheless that process must continue; 4) in all judicial or administrative forums, existing laws need to be expansively developed. For example, the Equal Credit Opportunity Act, 15 U.S.C. § 1691, has essentially lain dormant since passage. Under the Community Reinvestment Act, 12 U.S.C. § 2901, substantial negotiating leverage exists for community advocates to constructively engage lending institutions in economic dialogue over investment strategies. Even under Title 8, specifically, Sections 3604 and 3605, the outer ambit of protection from redlining and corresponding enforcement opportunities is unknown. Finally, even the Civil Rights Acts of 1866 and 1870 continue to have fresh and far-reaching applications in this area. So, let us comprehensively explore, with

some measure of hope, legal and political strategies to empower our own "Third World" inner-city poor and minorities.



*Visiting Assistant Professor of Law*  
Lawrence G. Albrecht



## UPCOMING ALUMNI AND LAW SCHOOL EVENTS

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<b>October 3</b>	Law Alumni Board Meeting 9:30 a.m.  Law Alumni Board Luncheon 12:00  CLE Programs offered at School of Law Homecoming 9:00 a.m. to noon 1:30-4:30 p.m.  Annual Homecoming Law Banquet Expo Center, Valparaiso 6:00 p.m. Cocktails 7:00 p.m. Dinner	<b>October 22</b>	Law Alumni Reception Hyatt Regency, Indianapolis 5:30-7:00 p.m.
		<b>October 26-28</b>	Distinguished Visitors in Residence
		<b>October 29, 30</b>	Christian Legal Society — South Africa Symposium
		<b>November 6, 7</b>	Board of Visitors Meeting
		<b>November 12</b>	Monsanto Lecture Professor Robert Rabin Stanford Law School
		<b>January 19-21</b>	Institute for Law & Pastoral Ministry
		<b>February 15, 16</b>	Seegers Lectures

## CONTINUING LEGAL EDUCATION OFFERED AT THE SCHOOL OF LAW

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<b>August 4</b>	Social Security Disability (ICLEF) 9:00-5:00/6 credits
<b>August 11, 12</b>	Bankruptcy, Reorganizations Under Chapters 11, 12, and 13 (ICLEF) 9:00-5:00/12 credits
<b>August 17</b>	Criminal Law/Coping with Difficult Problems 9:00-5:00/6 credits
<b>August 27</b>	Mortgage Foreclosures in Indiana (ICLEF) 9:00-5:00/6 credits
<b>September 1</b>	Indiana Law Update — “A Survey of Indiana Law” (Live presentation sponsored by the ISBA and ICLEF) 9:00-5:00/6.5 credits
<b>September 14</b>	Medical Law: Keeping Pace with Technology & Malpractice (ICLEF) 9:00-5:00/6 credits
<b>September 17</b>	Employment Discrimination Law (ICLEF) 9:00-5:00/6 credits
<b>September 21</b>	Basic Probating of an Estate (ICLEF) 9:00-5:00/6 credits
<b>September 24</b>	Indiana Trial Notebook (ICLEF) 9:00-5:00/6 credits
<b>September 28</b>	Rules of Professional Conduct (ICLEF) 9:00-5:00/6 credits
<b>October 3</b>	The New Code of Professional Responsibility (covering Rules 2.1; 2.2; 2.3; 1.5(c), (d); 7.1; 7.2; 7.3 and 7.4). 9:00 a.m. to noon/3 credits Faculty: Jack Lawson ('61), The Hon. Wesley W. Ratliff, Jr. ('50) Professor Charles Ehren  Arrest, Search and Seizure: An Analytical Framework 1:30-4:30 p.m./3 credits Faculty: Associate Dean and Professor Bruce G. Berner
<b>November 4</b>	Indiana Sales & Use Taxes (Part II of State and Local Tax Services by Professor Jegen) (ICLEF) 9:00-5:00/6 credits
<b>November 18</b>	Taxation of Real Estate and Real Estate Investments (ICLEF) 9:00-5:00/6 credits



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